

AMENDED IN SENATE FEBRUARY 14, 2009

CALIFORNIA LEGISLATURE—2009—10 SECOND EXTRAORDINARY SESSION

**SENATE BILL**

**No. 3**

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**Introduced by ~~Senator Ducheny~~ Senators Florez and Denham**  
(Coauthor: Assembly Member Galgiani)

February 11, 2009

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~~An act relating to the Budget Act of 2008. An act to add Section 44282.5 to the Health and Safety Code, relating to air pollution.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 3, as amended, ~~Ducheny~~ Florez. ~~Budget Act of 2008. Air pollution: grants: farm equipment.~~

Existing law gives to the State Air Resources Board the primary responsibility for the control of emissions from motor vehicles. The state board is required to administer the Carl Moyer Memorial Air Quality Standards Attainment Program to provide grants to offset the incremental cost of projects that reduce covered emissions from covered sources. The state board is required to establish and update grant criteria and guidelines for covered vehicle projects.

This bill would require an off-road project that involves farm equipment to be deemed to have a minimum project life of at least 10 years. The bill would authorize a grant to be awarded for those projects involving farm equipment regardless of the time period between the date the application for funding was submitted and the compliance date required by any local, state, or federal statute, regulation, rule, memorandum of agreement, memorandum of understanding, or other legal restriction or legally binding document that requires the change in equipment, vehicle, or operation involved in the project, provided the project is not funded after the date for compliance.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2008.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 44282.5 is added to the Health and Safety*
- 2     *Code, to read:*
- 3     *44282.5. (a) An off-road project that involves farm equipment*
- 4     *shall be deemed to have a minimum project life of at least 10 years.*
- 5     *(b) A grant may be awarded for a project described in*
- 6     *subdivision (a) regardless of the time period between the date the*
- 7     *application for funding was submitted and the compliance date*
- 8     *required by any local, state, or federal statute, regulation, rule,*
- 9     *memorandum of agreement, memorandum of understanding, or*
- 10    *other legal restriction or legally binding document that requires*
- 11    *the change in equipment, vehicle, or operation involved in the*
- 12    *project, provided the project is not funded after the date for*
- 13    *compliance.*
- 14    ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
- 15    ~~changes relating to the Budget Act of 2008.~~